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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
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JUL 20 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
The Use of N11 Codes and Other )  
Abbreviated Dialing Arrangements )  
 )  
U.S. Department of Transportation Petition )  
for Assignment of an Abbreviated Dialing Code )  
to Access Intelligent Transportation System )  
Services Nationwide )  
 )

CC Docket No. 92-105

NSD File No. L-99-24

### SPRINT PCS COMMENTS

Sprint Spectrum L.P., d/b/a Sprint PCS ("Sprint PCS"), submits these comments in response to the U.S. Department of Transportation ("DOT") petition seeking assignment of an abbreviated dialing code to facilitate nationwide public access to advanced traveler information systems ("ATIS").<sup>1</sup>

Sprint PCS supports the assignment of an N11 code such as 511 for use in the delivery of travel-related information to the public. As the DOT petition notes, Sprint PCS, in cooperation with certain state and regional governments, today enables its customers to use the 211 code to access travel information where such information is

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<sup>1</sup> See Public Notice, "Petition by the United States Department of Transportation for Assignment of an Abbreviated Dialing Code (N11) to Access Intelligent Transportation System (ITS) Services Nationwide," CC Docket No. 92-105, NSD File No. L-99-24, DA 99-761 (April 20, 1999).

available.<sup>2</sup> There is no reason to repeat here the many reasons set forth in the petition and in the numerous written *ex parte* filings why the assignment of an N11 code for traveler information would promote the public interest.<sup>3</sup>

Sprint PCS cannot, however, support the DOT's additional request to assign an N11 code *exclusively* "for use by state and local governments."<sup>4</sup> While the DOT petition makes a compelling case for use of an N11 code to facilitate public access to travel information, the petition provides no reason why use of such a code should be restricted to *government*-provided information.<sup>5</sup> The government's interest is promoted by facilitating public access to traveler information, *regardless* of the source of the information. This governmental interest is not served by limiting N11 access to government sources of information only; in fact, such a restriction would stifle consumer choice, retard the rapid development of effective ATIS systems, and in the process, un-

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<sup>2</sup> See DOT Petition at 19.

<sup>3</sup> Over 30 *ex partes* have already been submitted in response to the DOT petition. Only one party, Communications Venture Services, opposes the assignment of an N11 code, recommending instead the national assignment of 555-5555 for traveler information.

<sup>4</sup> DOT Petition at 1. See also *id.* at 2 ("We therefore request that the FCC allocate a N11 number *to state and local governments* for use by advanced traveler information systems.")(emphasis added); at 21 ("[T]he Department urges the Commission expeditiously to . . . [assign] a nationwide abbreviate dialing code *to state and local governments* for use by advanced traveler information systems.")(emphasis added).

<sup>5</sup> Under the DOT proposal, carriers would simply provide a routing function for existing government sources of information, by translating calls using a 511 code to an existing 10-digit number. Such translations pose a challenge to CMRS providers that may have a single mobile switching center ("MSC") serving an entire (and often, multi-state) MTA. To route calls to the correct government agency CMRS providers must build and maintain elaborate routing tables whereby 511 calls are routed based on the identity of the originating cell site — tables that must be updated as additional cell sites are added.

determine the Congressional goal of promoting widespread implementation of such systems.<sup>6</sup>

Under the DOT proposal, the public would be able to access traveler information *via* a 511 code, but only in areas where the government (state, local, or regional) decided to fund an ATIS system. In areas where no such government system existed, the public would be unable to obtain important travel information, their 511 calls would instead be sent to a recording. In addition, under the DOT proposal, the quality of any available ATIS system would only be as good as the creativity of the involved government officials and the funding available to the agency. Some consumers may stop using 511 altogether if their ability to obtain useful information is sporadic only.

The experience with E911 coverage and funding illustrate the type of problems that would likely be encountered with a government-only 511 service.<sup>7</sup> Indeed, as the Southern California Association of Governments has noted, implementation issues could be even more problematic with a 511-government service:

The 911 number, which is widely perceived to be a valuable service and has strong political, public, and media support is underfunded. A three digit transportation number could be even more expensive to administer, but would not be perceived as having as high a priority as the emergency 911 number. If not generously funded on a long term basis, the program would only generate a public backlash as complaints of long waits, lack of information, and poor service accumulated.<sup>8</sup>

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<sup>6</sup> See DOT Petition at 8-10.

<sup>7</sup> See *Public Notice*, "Commission Seeks to Facilitate Wireless E911 Implementation and Requests a Report," CC Docket No. 94-102, FCC 99-132 (June 9, 1999).

<sup>8</sup> Letter from Jim Sims, Director, Information Services, Southern California Association of Governments, to Magalie Roman Salas, FCC Secretary, Docket No. 92-105, NSD File No. L-

Sprint PCS has a very different vision for ATIS services — one that provides consumers with increased choices and encourages the development of new, more robust and useful ATIS features that take advantage of continued technological advances. The acquisition and provision of traveler information is not a function that only the government performs. To the contrary, there are an increasing number of private firms that assemble such data for use by television and radio stations and the like. Similarly, the provision of local telecommunications services is not a monopoly. In an increasing number of markets, consumers can choose among five (or more) mobile carriers.

Rather than require carriers to offer the identical government service (if even available), Sprint PCS proposes that carriers be permitted to determine the source of the traveler information that their customers will receive upon dialing 511. A carrier may choose to use the services provided by the local government; it may choose to use a private source for traveler information; it may choose to use its own data; or it may choose to use some combination of the foregoing (by giving customers a choice of menu options). With this flexibility, travel information would become a new basis for competition and consumer choice. In deciding whether to use one carrier as opposed to another, a consumer may very well consider the quality, accuracy, and usefulness of the traveler information that a particular carrier provides.

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99-24, at 2 (June 14, 1999). *See also* Letter from Matthew J. Amorello, Commissioner, MassHighway, to Magalie Roman Salas, FCC Secretary, Docket No. 92-105, NSD File No. L-99-24 (July 9, 1999)(expressing “concern” about public’s willingness to pay for new government programs and questioning whether they “can become self sustaining businesses”).

If carriers have flexibility to choose the source of their traveler information, such that this information becomes a new source of competition in the market, each carrier will then have the incentive to offer customers the best package of traveler information available. This competition among carriers, in turn, creates competition among assemblers of traveling information, as each assembler is incented to introduce new and more useful services and features so as to obtain additional business and visibility.

Sprint PCS' proposal will work only if carriers and traveler information sources have flexibility to price the service. There are numerous technological innovations that promise to improve the value and usefulness of traveler information. For example, a carrier may decide that this information is more useful if delivered over short messaging service or the internet, as opposed to a voice call. The availability of automatic location identification capabilities offers the promise of providing more relevant and useful data to consumers.

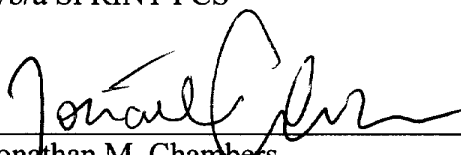
The use of these new technologies obviously will require a revenue stream. Some carriers may impose a per-call fee; others may charge a monthly fee; others may impose no charge other than airtime; and still others may follow a barter model, whereby a carrier would receive advertising from the information provider in exchange to routing 511 calls to its service. This Commission need not be concerned by these pricing decisions because the intense competition (at least among CMRS providers) ensures that rates, if any, will be reasonable.

In summary, this Commission faces a real choice. It can limit 511 accessibility to governments, in which case coverage will be scattered and technological innovation will be slow. Or, it can take advantage of the competition that already exists in the market to ensure that consumers will not only enjoy a meaningful choice, but have reasonable assurance that new services and features will keep abreast of new technological developments.

Respectfully submitted

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